

iners, or a majority of them, and so soon as the same is tendered to the owner or owners of said property the said County Road Engineer shall immediately cause such water course to be opened; said County Road Engineer shall furnish said examiner with a plat, showing the proposed location and profile of such outlet or water course, and for the purpose of making such plat or profile the said County Road Engineer is authorized to go upon any private property through which said proposed outlet or water course shall pass, and make whatever survey or surveys he may deem necessary for such purpose; provided, that any such outlet or water course shall not be opened so as to pass through the buildings, garden, yards or burial yard of any person without the consent of the owner in writing.

SEC. 237. Any person or corporation placing any obstructions of any kind whatsoever upon the public highways or bridges, roads, lanes, streets, avenues or alleys of Somerset County, or interfering with or obstructing any of the ditches or drains thereof, or encroaching upon the same with fences or other obstructions, or any person or corporation, its agents or employees, exercising the business of a common carrier, permitting his or its vehicle or steam or other engines or cars to obstruct any crossing for more than five minutes for any one time, shall be guilty of a misdemeanor, and shall be liable to prosecution at the instance of the County Road Engineer of Somerset County or at the instance of any taxpayer of said county, and upon conviction by any justice of the peace exercising criminal jurisdiction in Somerset County, shall be fined in an amount not less than one dollar, and no more than twenty-five dollars, for each offense. Any person arrested under this section shall have the right to appeal to the Circuit Court for said Somerset County for trial, and all fines collected under this section shall be paid to the said County Commissioners, and by them applied to the general road fund of the county.

SEC. 2. *And be it enacted*, That any law or laws, or part or parts of any law or laws, heretofore enacted and affecting or pertaining to the County Commissioners, or roads and ditches in said Somerset County, be and the same are hereby saved and shall remain in full effect and force, except so far as the same or any of them may be repealed by or may be inconsistent and in conflict with the provisions of this Act.

SEC. 3. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 11, 1910.